

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALEX JONES, et al.,

Plaintiffs,

v.

ST. PAUL FIRE & MARINE
INSURANCE COMPANY,

Defendant.

CASE NO. C15-531 MJP

ORDER DENYING MOTION TO
AMEND COMPLAINT

THIS MATTER comes before the Court on Plaintiffs' Motion to Amend Complaint.
(Dkt. No. 28.) Having considered the Parties' briefing and the related record, the Court DENIES
the motion.

Plaintiffs filed this case in King County Superior Court on March 12, 2015, and
Defendant St. Paul Fire & Marine Insurance Company removed the case on April 3, 2015. (Dkt.
No. 1.) In amending their complaint, Plaintiffs seek to remove two Defendants terminated by
previous order of the Court, to remove Plaintiff Alex Jones (who has assigned his interest in the
claims asserted to the remaining Plaintiffs), and to allege that attorney Douglas Anderson was an

1 appointed official covered under the insurance policy issued by Defendant St. Paul Fire &
2 Marine Insurance Company. (Dkt. No. 28.) Defendant opposes amendment, arguing that
3 removing parties via amendment is unnecessary and procedurally defective, and that the new
4 allegations against it conflict with the Court's previous orders and thus are barred by the law of
5 the case doctrine. (Dkt. No. 29.)

6 The Court DENIES the motion. First, while Plaintiffs may amend their complaint to
7 reflect an assignment of claims from Alex Jones to Ken and Jo Anne Jones, the proposed
8 amended complaint submitted alongside Plaintiffs' motion does not in fact reference an
9 assignment and does not make clear that the remaining Plaintiffs are pursuing Alex Jones's
10 claims. (See Dkt. No. 28-1.) Second, amendment to remove the two Defendants already
11 dismissed by order of the Court is unnecessary because those Defendants' involvement in the
12 case has already been terminated. Finally, amendment to allege coverage under the appointed
13 official policy inclusion is futile because the Court has already twice ruled that Mr. Anderson
14 was not covered under the policy at issue. Accordingly, Plaintiffs' motion is DENIED.

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16 The clerk is ordered to provide copies of this order to all counsel.

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18 Dated this 16th day of September, 2015.

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22 Marsha J. Pechman
23 Chief United States District Judge
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